

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

MARY HOLMES, DENISE DAVIS,
ANDREW DALLAS, and EMPOWER
MISSOURI,

Plaintiffs,

-against-

ROBERT KNODELL, in his official capacity
as Acting Director of the Missouri Department
of Social Services,

Defendant.

No. 2:22-CV-04026

**ORAL ARGUMENT
REQUESTED**

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. Rule 56 and Local Rule 56.1, Plaintiffs move this Court for an order granting summary judgment in Plaintiffs' favor and against Defendant in his official capacity. As shown by Plaintiffs' Suggestions in Support of Motion for Summary Judgment, and by the declarations and other exhibits on file in this case, there is no genuine issue of material fact. Plaintiffs are entitled to judgment as a matter of law.

Plaintiffs accordingly respectfully request that this Court grant declaratory relief, concluding that Defendant has

1. Wrongfully denied Plaintiffs' and others' initial and recertification applications for Supplemental Nutrition Assistance Program (SNAP) benefits in violation of the SNAP Act;
2. Failed or refused to allow Plaintiff and other households to apply for SNAP on the first day they contact the Department of Social Services in violation of the SNAP Act;

3. Subjected Plaintiffs and other applicants to arbitrary and inconsistent interview practices and procedures resulting in wrongful denials of SNAP benefits in violation of the Due Process Clause;
4. Excluded Plaintiffs and other individuals with disabilities from participation in the SNAP program and denied Plaintiffs and other individuals with disabilities SNAP benefits due to their disabilities, thus subjecting them to discrimination in violation of the Americans with Disabilities Act (ADA); and
5. Adopted and used methods of administration that have subjected Plaintiffs and other individuals with disabilities to discrimination on the basis of their disabilities and substantially impaired the accomplishments of the objectives of Defendant's SNAP program in violation of the ADA.

Further, Plaintiffs also respectfully request that the Court enjoin Defendant, ordering that he immediately:

1. Cease denying SNAP applications for eligible individuals who have not been given a meaningful opportunity to complete the SNAP application process;
2. Ensure that all SNAP applicants have a meaningful opportunity to complete an interview;
3. Ensure that all Missouri residents are provided with an opportunity to apply for SNAP on the first day that they contact DSS; and
4. Ensure that applicants and recipients with disabilities are routinely provided with notice of their rights under the ADA, including the process by which they can seek a reasonable accommodation; and ensure the process to request an accommodation permits meaningful access to SNAP.

Finally, Plaintiffs seek any other relief that the Court deems just and proper.

Date: September 22, 2023

Respectfully submitted,

/s/ Andrew Scavotto

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